

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BMO HARRIS BANK N.A.,

Plaintiff,

v.

CAPITOL SALES COMPANY, INC.,

Defendant.

Case No. 2022-cv-00132

Honorable Joan B. Gottschall

**AFFIDAVIT OF KAITLYN NOONAN IN SUPPORT OF PLAINTIFF'S RESPONSE TO
THE COURT'S REQUEST REGARDING SERVICE OF PROCESS**

KAITLYN NOONAN, being first duly sworn, on oath deposes and states as follows:

1. I have been employed by Carlson Dash, LLC ("Carlson Dash" or the "Firm") as a

Paralegal | Legal Assistant since 2011.

2. I make this affidavit in support of the Plaintiff's Response to this Court's Request

Regarding Service of Process.

3. This Affidavit is based on my personal knowledge of the facts reflected in this affidavit based upon my review of the records of the Firm and could competently testify thereto if called upon to do so as a witness in this cause.

4. I am one of the staff that is responsible for compiling and maintaining the documents that were attached as Exhibits to the Plaintiff's Motion for Default Judgment and was responsible for transmitting the required documents related to service of process on Capitol Sales Company, Inc. to the Minnesota Secretary of State.

5. I certify that true and genuine copies of the following documents are attached to this Affidavit and are the basis for the manner of service effectuated on Capitol Sales Company, Inc.

a. Minnesota Rule of Civil Procedure 4.03 titled “Personal Service” as published by LexisNexis and retrieved on March 28, 2022. A copy of Minn. R. Civ. P. 4.03 is attached hereto as **Exhibit 1**.

b. Minnesota Annotated Statutes § 5.25 titled “Service of Process” as published by LexisNexis and retrieved on March 28, 2022. A copy of Minn. Stat. § 5.25 is attached hereto as **Exhibit 2**.

c. Printout of the business record for Capitol Sales Company, Inc. from the official website of the Minnesota Secretary of State as retrieved on March 28, 2022. A copy of the business record printout is attached hereto as **Exhibit 3**.

d. Correspondence I drafted dated January 28, 2022 from me to the Minnesota Secretary of State enclosing documents for to be served on Capitol Sales Company, Inc. A copy of the correspondence is attached hereto as **Exhibit 4**.

e. Copies of the Summons and Amended Complaint filed in this matter. Copies of the Summons and Amended Complaint are attached collectively as **Exhibit 5**.

e. FedEx Proof of Delivery showing delivery of the January 28, 2022 correspondence to the Minnesota Secretary of State which was provided by Federal Express and obtained by me. A copy of the Proof of Delivery is attached as **Exhibit 6**.

f. Minnesota Service of Process Acknowledgement dated February 1, 2022 where the Minnesota Secretary of State mailed the Summons and Complaint to Defendant Capitol Sales pursuant to Minnesota statute on February 1, 2022 which was obtained by me. A copy of the Minnesota Service of Process Acknowledgement is attached hereto as **Exhibit 7**.

7. I further certify that:

a. such records were made, at or near the time of the occurrence of the matters set forth, by (or from information transmitted by) a person with knowledge of those matters;

b. such records were kept in the course of the Firm’s regularly conducted business activity;

c. the business activity made such records as a regular practice; and

d. if such record is not an original, such record is a duplicate of the original.

8. I further certified that on January 28, 2022, I personally enclosed and placed in the envelope for Federal Express delivery, two (2) copies of the Summons and Amended Complaint, along with the January 28, 2022 correspondence from me to the Minnesota Secretary of State for service on Capitol Sales Company, Inc. (See **Exhibits 4 and 5**). These documents were delivered

to the Minnesota Secretary of State, with the Minnesota Secretary of State sending back the Service of Process Acknowledgment dated February 1, 2022 which I received. (See **Exhibits 6 and 7**)

Further your Affiant sayeth naught.



A handwritten signature in black ink, appearing to read "Kaitlyn Noonan", is written over a horizontal line. Below the line, the name "Kaitlyn Noonan" is printed in a smaller, standard font.